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Amendment No. 3 to HB0662

**Odom
Signature of Sponsor**

AMEND Senate Bill No. 38*

House Bill No. 662

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 4, Part 5, is amended by adding the following new, appropriately designated section:

67-4-506.

(a)

(1) Each charitable non-profit organization that receives all or any portion of the proceeds of any vending machine, by which merchandise of the market value of the coin deposited not exceeding twenty-five (25) cents is sold or delivered to customers, shall have the privilege and option of registration with the department of revenue, reporting gross receipts vended through such machines, and receiving a rebate of sales tax, payable quarterly, of the difference between the rate of tax levied under Title 67, Chapter 6, and one and one-half percent (1.5%) of such tax from the machines.

(2) For purposes of this section, "vending machine" means any machine built such that only a fixed, predetermined price can be paid for the item dispensed by such machine, the machine cannot return or make change, and the machine cannot be adjusted, mechanically, electronically or otherwise, to change the price charged for the item.

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(b) To comply with the above provision, the name and address of the owner, and the name and address of the charitable non-profit organization must appear upon each vending machine, and each vending machine must have a permanent registration on forms provided by the department, at a cost for which the department may charge one dollar (\$1.00) each, plus a fee of two dollars (\$2.00) for each individual company so permanently registering.

(c) Any charitable non-profit organization receiving proceeds from such machines shall immediately notify the department of its claim for rebate under this section.

SECTION 2. This act shall take effect July 1, 2003, the public welfare requiring it.